

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION**

JACOB LEE ENTERPRISES, LLC,)	Case No.: 22-654
)	
Plaintiff,)	
)	
v.)	Formerly Case No.
)	2022CV000501
ERIE INSURANCE EXCHANGE,)	Racine County Circuit Court
)	
Defendant.)	PETITION FOR REMOVAL
)	

The Defendant, Erie Insurance Exchange, by its attorneys, BORGELT, POWELL, PETERSON & FRAUEN, S.C. pursuant to 28 U.S.C. § 1446, 28 U.S.C. § 1332(a) and 28 U.S.C. § 1441, *et seq.*, hereby submits this Petition for Removal of this action from the Circuit Court of Racine County, Wisconsin, to the United States District Court for the Eastern District of Wisconsin. In support of this Petition for Removal, the Defendant states as follows:

1. Erie Insurance Exchange has been named as a Defendant in this suit, which was filed on May 6, 2022, in the Circuit Court of Racine County, Wisconsin. The suit is entitled *Jacob Lee Enterprises, LLC v. Erie Insurance Exchange*. and has been designated as Racine County Case No. 2022CV000501.

2. In accordance with 28 U.S.C. § 1446(a), attached as Exhibit 1 is a copy of the Summons, and attached as Exhibit 2 is a copy of the Complaint served upon

Erie Insurance Exchange. The Summons and Complaint constitute all pleadings and Orders that have been served upon the Defendant.

3. Erie Insurance Exchange was served with the Summons and Complaint on May 10, 2022. Accordingly, this Petition for Removal is timely pursuant to 28 U.S.C. 1446(b)(2)(B) because it has been filed within thirty (30) days after Erie Insurance Exchange was served with the Summons and Complaint. The service of the Summons and Complaint was Erie Insurance Exchange's first notice regarding the filing of this action.

4. The subject action is a civil action of which this court has original jurisdiction pursuant to 28 U.S.C. § 1332(a), and is one which may be removed to this court by the Defendants pursuant to 28 U.S.C. § 1441. These provisions are met because this is a civil action between citizens of different states and the amount of controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

5. The Plaintiff, Jacob Lee Enterprises LLC, is a Wisconsin Limited Liability Company with its principal place of business located at 222 State Street, Racine, Wisconsin 53403. Upon information and belief, all members of Jacob Lee Enterprises, LLC, are citizens of Wisconsin.

6. The Defendant, Erie Insurance Exchange, is a Pennsylvania corporation with its principal place of business in Pennsylvania.

7. Written notice of the filing of this Petition for Removal has been served upon all parties.

8. A Notice stating that this matter has been removed to Federal Court has been filed with the Clerk of the Circuit Court of Racine County, Wisconsin.

WHEREFORE, the Defendant, Erie Insurance Exchange, requests that the action currently pending in the State of Wisconsin, Circuit Court for Racine County be removed to this Court and proceed in this Court.

DATED: 06/02/2022

Electronically signed by Erik M. Gustafson

Atty. Michael J. Wirth (WI State Bar No. 1034011)

Atty. Erik M. Gustafson (WI State Bar No. 1098932)

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